

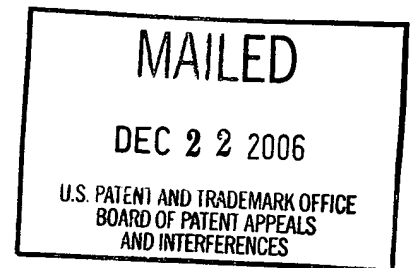
The opinion in support of the decision being entered today was *not* written for publication and is *not* binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ROY A. OSTGAARD, EDWARD J. O'CONNELL,
and MARK J. LICARI

Application 09/156,952
Technology Center 1700



SECOND ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This Image File Wrapper (IFW) application was electronically received at the Board of Patent Appeals and Interferences ("Board") on November 28, 2006. An initial review has revealed that this application has previously been before the Board for intake of the appeal. The application was received on November 15, 2006, wherein it was determined that the case was not ready for docketing as an appeal. An Order Returning Undocketed Appeal ("Order") was drafted and mailed on November 21, 2006, outlining various deficiencies that needed to be addressed by the Examiner before any further prosecution could ensue. This application was prematurely sent back to the Board without addressing the matters contained in the Order mailed November 21, 2006. Correction is hereby required.

Application 09/156,952

Accordingly, it is

ORDERED that the application is returned to the Examiner to fully comply with the Order mailed November 21, 2006 and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: G. P. Edgell for Dale Shaw
DALE M. SHAW
Deputy Chief Appeals Administrator
(571) 272-9797

VISTA IP LAW GROUP, LLP
12930 Saratoga Avenue
Suite D-2
Saratoga, CA 95070

DMS:hh